

Applicant: Uwe Heitmann
Appl. No. 09/657,812

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-24 are pending in the application, with claims 1 being the independent claim.

Claims 13-19 have been withdrawn from consideration. Claims 23 and 24 have been added.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version With Markings To Show Changes Made.**"

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Election/Restriction

Withdrawal of the restriction requirement of species A-D and F and examination of claims 1-12 and 20-22 is appreciated.

Acknowledgement of Allowed Subject Matter

The indication that claims 8-12 and 20-22 contain allowable subject matter is gratefully noted.

Applicant: Uwe Heitmann
Appl. No. 09/657,812

Rejections under 35 U.S.C. § 112

Claims 5-9 and 20-22 are rejected under 35 U.S.C. §112 as being indefinite. Claims 5, 7, 8 and 20 have been amended to overcome the rejection.

Rejections under 35 U.S.C. § 102

Claims 1-4 are rejected under 35 U.S.C. §102(b) as being anticipated by GB 1,442,751 to Molins et al. ("Molins"). Reconsideration is requested.

Claim 1 recites, *inter alia*, "sound damping material disposed on the reflection surfaces (of the tobacco production machine) facing the operator region."

In contrast, Molins teaches a sound-absorbing material made with a plywood or sheet metal outer lining and an inner, sound-absorbing foamed material. Molins describes a prior art approach to reduce noise emitted from the production machine enclosed by the material. The present invention recognizes that much of the noise encountered by operators does not originate from machines enclosed by material, but instead, originates from neighboring machines and is reflected by the outside surfaces of the enclosed machine. Accordingly, claim 1 recites that the sound damping material is disposed on the reflection surfaces facing the operator. In Molins, the material is the reflection surface.

Molins fails to teach or suggest the features of claim 1. As such, claim 1 distinguishes over Molins and is allowable over Molins.

Applicant: Uwe Heitmann
Appl. No. 09/657,812

Claims 2-4 depend from claim 1 and are allowable as depending from an allowable claim.

It is also noted that claim 3 further distinguishes over Molins by specifying that sound damping structure itself faces the operator.

Rejections under 35 U.S.C. § 103

Claims 5-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Molins in view of DE 2758041 to Kiesewette and U.S. 5,975,238 to Fuchs et al. (“Fuchs”).

Claims 5-7 depend from claim 1. Kiesewette and Fuchs fail to cure the deficiency in the rejection of claim 1. Accordingly, claims 5-7 are allowable as depending from an allowable claim.

New Claim

New claims 23 and 24 have been added. Support for new claims 23 and 24 can be found, for example, on page 7, lines 13-22. New claim 23 distinguishes over the cited art by reciting that the sound-damping material absorbs noise from outside of the production machine. New claim 24 further distinguishes by reciting that noise from outside of the machine is at most only minimally reflected. The cited art, particularly the primary reference Molins, fails to teach these features. Specifically, Molins does not teach that its sound damping material absorbs any sound from the outside or that reflection is reduced.

Applicant: Uwe Heitmann
Appl. No. 09/657,812

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

A Notice of Allowance with claims 1-24 is respectfully requested.

Respectfully submitted,



Chad C. Anderson
Registration No. 44,505
VENABLE
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 962-4800
Telefax: (202) 962-8300

DC2-413357.2

Version With Markings To Show Changes Made

In the Claims:

Please amend claims 5, 7, 8 and 20; and add new claims 23 and 24.

5. (Amended) The arrangement according to claim 4, wherein the damping mats comprise exchangeable damping elements [having a neutral shape].
7. (Amended) The arrangement according to claim 6 [5], wherein the truncated cones have absorption surfaces and the damping elements include cladding sheets having openings in the manner of a sieve covering the truncated cones.
8. (Amended) The arrangement according to claim 1, wherein the production machine includes a removable carriage having inside plates and outside [sieve-like] cladding sheets, and the sound damping material comprises damping mats disposed between the inside reflection plates and the outside [, sieve-like] cladding sheets, the cladding sheets having openings in the manner of a sleeve.
20. (Amended) The arrangement according to claim 1, wherein the production machine has air-flow cross sections for supplying process air and flow conduits, at least some of the flow conduits are clad with sound-damping material, and the air-flow cross sections are predominantly concentrated in the flow conduits clad with sound-damping material.